

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH
PENALTY INSTALLMENT PAYMENT AGREEMENT



Employer: _____

Address: _____

Inspection No. : _____

Issuance Date : _____

PENALTY INSTALLMENT PAYMENT AGREEMENT

THIS AGREEMENT is entered into by the Commonwealth of Virginia, Commissioner of Labor and Industry (Commonwealth) and [Employer] (Employer).

1. The employer shall pay a penalty of \$ _____ (in lieu of the penalties originally proposed in the citation(s))* . The Employer shall pay an initial sum of \$ _____ no later than 15 days after the Employer receives a fully executed copy of this Agreement. The remaining amount of \$ _____ shall be paid in (____) installment payments of \$ _____ each. Each of the (____) installment payments is/are due on the fifteenth (15th) day of each month beginning _____ and ending _____.

Check or money orders, payable to the Commonwealth of Virginia, shall be made to:

Accounting Division
Virginia Department of Labor and Industry
Powers-Taylor Building
13 South Thirteenth Street
Richmond, Virginia 23219

The VOSH inspection number shall be noted on each payment.

2. The employer has the option to pay the total penalty due under this Agreement in one lump sum payment of \$ _____, to be remitted to the address listed in paragraph 1 no later than fifteen days after the Employer receives a fully executed copy of this Agreement.
3. Should the Employer fail to make any payment under this Agreement by the date it is due, without entering into a new payment agreement, the Employer shall be liable for payment of the outstanding balance under this Agreement **plus** any uncollected accrued interest **and** collection costs.
4. The Employer certifies that the violations alleged in the above citation(s) have been abated.
5. As consideration for the modification of the terms of the original citation(s), the Employer agrees to withdraw its original notice of contest filed with respect to the above citation(s) and waives its rights to contest the remaining terms contained in this Agreement.

POSTING

6. The Employer shall post a copy of this Agreement for a period of thirty (30) days at each worksite in Virginia in a conspicuous location where notices to its employees are generally posted.

SETTLEMENT OF CLAIMS

7. **THIS AGREEMENT** is meant to compromise and settle the contested claims that arose out of the above referenced inspection. Pursuant to Va. Code § 40.1-51.3:2, the fact of an issuance of a citation, the voluntary payment of a civil penalty by a party, or the judicial assessment of civil penalty under Chapter 3 of Title 40.1 of the Code of Virginia shall not be admissible in evidence in the trial of any action to recover for personal injury or property damage sustained by any party. This agreement may be used for future enforcement proceedings and enforcement actions pursuant to Title 40.1 of the Code of Virginia.
8. All citations and penalties, as modified above, including all new obligations contained in this Agreement, are a final order of the Commissioner of Labor and Industry.

By: _____
Employer Representative

_____ Date

By: _____
VOSH Regional Director

_____ Date

* Included only if penalty begin reduced.